

This month's Daf Digest is dedicated
L'Ilui Nishmas Mr. Israel Gotlib of Antwerp and Petach Tikva, Yisrael Tzvi ben Zev
By Mr. and Mrs. Manny Weiss

OVERVIEW of the Daf

1) The prohibition against reading a list on Shabbos

R' Bibi explains that the prohibition against reading from a list is the fear that one may erase from the list. According to Abaye, it was a decree lest one come to read from common documents.

The Gemara searches and finally pinpoints the case where there will be a practical difference between R' Bibi and Abaye's explanations.

A Baraisa is cited that prohibits reading captions under pictures on Shabbos, and regarding the picture itself, even on weekdays it is forbidden to gaze at it.

2) Casting lots to divide portions of food

The Gemara explains why casting lots to divide portions of food is permitted only with members of one's household but not with others. The reason is because non-household members will be exacting, and one may violate the various prohibitions related to measuring food whereas with household members there is no such concern.

3) The restriction against kohanim casting lots for portions

The Gemara questions the meaning of the "portions" for which the kohanim may not cast lots.

R' Yaakov the son of Yaakov's daughter explained that the restriction is against drawing lots for portions of a sacrifice offered during the week. One may have thought even this should be permitted because of the quarrelsome nature of kohanim; the Mishnah therefore instructs that it is prohibited.

4) Causing another to be punished

R' Yaakov the son of Yaakov's daughter taught that one who causes another to be punished is not admitted into Hashem's enclosure. The Gemara searches and finally finds a verse that supports this teaching.

5) Chalashim

The Gemara identifies a pasuk where the word חלשים means lots, to explain the use of the word חלשים in our Mishnah.

The pasuk cited discusses a particular vile aspect of Nevuchadnetzar's behavior. The Gemara proceeds to quote a number of teachings related to Nevuchadnetzar. ■

REVIEW and Remember

1. Is the principle of לא פלוג universally agreed upon?

2. To whom is it permitted to charge interest?

3. What is the source that one who causes another to be punished isn't allowed into Hashem's enclosure?

4. How did Nevuchadnetzar humiliate conquered kings?

Distinctive INSIGHT

Turning to false gods

פניה לאלילים

The Gemara here states that one may not gaze at images even on a weekday, as this is a violation of the Torah's prohibition (Vayikra 19:4) אל תפנו אל האלילים—Do not turn to false gods. The Gemara explains that gazing at images is subsumed under this prohibition because the phrase may be read: אל תפנו אל מדעתכם—Do not turn to that which you create from your own thoughts.

Ramban (to Vayikra loc. cit.) explains the prohibition further, and states that it warns us not to believe that other deities can provide us with any benefit, nor to believe predictions that the prophets of these deities foretell. Rather, one must realize that the future is dictated by Hashem alone, and the other gods and all that is attributed to them must be null and void in one's eyes. It is in this context, continues Ramban, that the Gemara asks us to avoid gazing at representations of other deities, as a person should avoid focusing his attention on any deity other than Hashem.

In the same vein, Shem MiShmuel (Parashas Veyeileich, 5672) writes that the statement (Devarim 31:18): "And I will surely conceal My countenance on that day on account of all the evil that he did, for he turned to other gods" — does not refer to pantheistic or pagan worship. Rather, it refers to a person who did not sanctify himself sufficiently — to a person who was not meticulous in refraining from gazing at the images of other deities. In this manner, Shem MiShmuel resolves the difficulty presented by the pesukim in Parashas Vayeileich: If the Jews have already done teshuvah, as indicated by the previous pesukim, why does Hashem continue to conceal himself?

The answer is that they did teshuvah on the major sins, and that suffices to save them from perishing in Galus, but they did not turn away from the images of the countenances of other gods. Hence, measure for measure, Hashem conceals His countenance from them.

Shem MiShmuel concludes: "And this is a great lesson, to know that in the days of teshuvah, the main thing is to accept upon oneself to refrain even from that which is [technically] permitted [such as gazing at images] from today onwards, and his heart should regret the past. For it does not suffice to accept resolutions on the mitzvos themselves. And a person should consider and know to what extent these matters [of teshuvah] reach. ■

Today's Daf Digest is dedicated
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By the Weinberger family, Brooklyn, N.Y.

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Rabbi and Mrs. Makhlof Suissa
In loving memory of their father
ר' משה בן ר' אליעזר, ע"ה

HALACHAH Highlight

Gazing into a mirror on Shabbos

דתניא אין רואין במראה בשבת

The melacha of Gozez (shearing) is the first in a group of thirteen melachos that comprise the essential steps in the processing of wool fabrics and garments.

Gozez in the Mishkan

Wool was required for the Yerios, the cloth coverings of the Mishkan which were made of specially dyed wool. To procure the wool, it was first necessary to shear the fleece from the animal, hence the melacha of Gozez.

The basic premise of Gozez

As mentioned above, shearing the wool of sheep is the first step in the manufacture of woolen garments.

The melacha of Gozez may be defined as the severing or uprooting of any growing part of the body of any creature (even if the creature is no longer alive). Cutting or tweezing hair from one's head or body is also prohibited under the melacha of Gozez.

Removing hair

Cutting hair (even just a single one) from a human or animal with a hair cutting instrument such as a scissors or hair clipper is the melacha M'deoraisa of Gozez. However, pulling out the hair is not Gozez M'deoraisa in most instances, because a living creature suffers sharp pain when its hair is pulled out. It is therefore not the ordinary manner of removing hair. (However, in cases where hair is ordinarily removed by pulling (e.g. tweezing eyebrows etc.) doing so is indeed a melacha M'deoraisa).

Biting off hair is likewise not the ordinary way of removing hair and is therefore not Gozez M'deoraisa.

Even so, any method of hair removal, including pulling out hair, is at least Rabbinically prohibited, due to its similarity to the melacha M'deoraisa of Gozez.

Cosmetic hair removal

In some cases, the melacha M'deoraisa of Gozez is possible without any instrument.

Example: If a woman pulls out a single gray hair, she violates the

Melocho M'deoraisa of Gozez, because this is the ordinary manner of removing such hair. Similarly, a woman tweezing her eyebrows or other excess hair violates the melacha M'deoraisa for the same reason.

Hair removers

One may not apply a hair remover to eliminate excess hair from his skin or scalp, whether it is a liquid, ointment, salve, or abrasive soap.

Looking into a mirror

In the era of the Talmud and early codifiers, mirrors were commonly designed with a sharp cutting edge on one of the sides. Since these mirrors served a double function of both reflecting the viewer as well as providing a sharp cutting edge with which to quickly trim away any unwanted hair that one should discover, using such a mirror could bring one to inadvertently trim a hair or whisker on Shabbos. For this reason, the Sages forbade gazing into such a mirror on Shabbos.

However, contemporary mirrors are no longer designed with any cutting edge. Hence, there is thus no basis to restrict their use. A woman is therefore permitted to observe her reflection in a mirror on Shabbos.

A man, however, should not gaze at his reflection in a mirror at any time because of the Torah Law of Lo Yilbash which prohibits a man from donning a woman's attire or imitating feminine mannerisms (a woman is likewise forbidden to dress in men's attire or to adopt masculine habits under the Torah Law of "Lo Silbash"). Gazing at a mirror is a characteristic feature of a woman's cosmetic preparation (for whom physical appearance is a prime concern).

Example: If a woman is seen by her friends as meticulously groomed, they would likely think that she spends a lot of time in front of a mirror. It is therefore considered unseemly for a man to imitate this feminine tendency.

According to some Poskim, a man is not forbidden from gazing at his reflection in a mirror if this is a habit of both men and women in that time and place. Nevertheless, it is considered improper for men to have this tendency.

According to all views however, a man may observe himself in a mirror for non-cosmetic purposes e.g. when shaving, taking a haircut, inspecting a facial wound, or when applying topical medications and the like. A man is also permitted to glance at the mirror to ensure that he appears presentable, as long as this is not done for beautification, but merely to avoid appearing unpresentable. ■

1 The 39 Melachos, by Rabbi Dovid Ribiat, pages 674-675. Used with permission of the author.

Gemara GEM

Wagering and collecting on bets

משום קוביא

Rashi explains that betting is prohibited because it is theft. If the person would have known that the lots would come up against his bet, he never would have agreed to part with his money in the first place. His willingness to part with his money at this point is begrudged, and the fact that he reluctantly agrees to submit payment is not legally valid. This is what we refer to as **אסמכתא לא קניא**.

Ritva questions applying the concept of **אסמכתא** to this case. The Gemara (Sanhedrin

24b) refers to **אסמכתא** to a situation where a person is convinced that he will be able to accomplish a particular feat, and he attempts to convince others of his confidence by offering to pay a sum if he will not succeed. For example, he tells a lender that he will repay the loan within a certain term, and if he will not pay on time, he offers to pay double. It is in this case that the borrower has absolutely no intention at all of fulfilling the doubling of the loan, and he only offers to pay more as a means to obtain the funds in the first place. However, in our case of wagering about the outcome of the throw of dice, the person is fully aware of the doubtful nature of his bet, and he enters the deal knowing that there are risks, and that if he loses he will pay. According to Ritva, this is not

a case of **אסמכתא לא קניא**. Yet although this is technically not theft, Ritva still rules that it is prohibited to collect money "won" in a bet. It is unlawful to take money from a person who is giving it against his will, and when a person loses a bet, he is usually unhappy and regretful of having to forfeit his money to the winner.

Another reason why this it is prohibited to collect money won in a bet is that even if a person only participates in betting occasionally, the halacha knows that such behavior is habit forming, and even recreational betting is addictive, as it leads to vocational betting. In this case, where a person earns his living without being productive in the settling of the world and the building of society, he is **פסול לעדות** disqualified from being a witness in a Jewish court. ■